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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,082	05/11/2001	James Larson	36760	6992

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Garden City, NY 11530

EXAMINER

ADDIE, RAYMOND W

ART UNIT	PAPER NUMBER
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3671

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 09/854,082	Applicant(s) LARSON, JAMES	
	Examiner Raymond W. Addie	Art Unit 3671	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 April 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Objections

1. Claim 1 is objected to because of the following informalities:

Claim 1, ln. 5 recites "at least one corridor unit"; whereas claim 1, ln. 7 recites "a corridor unit joined to said forward end of said at least one corridor unit".

It is unclear as to whether the "A corridor unit" is further limiting the "at least one corridor unit" or if the "a corridor unit" is a separate and distinct element, and does not further limit the "at least one corridor unit".

Appropriate correction is required.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the multiple corridor units, each having rear ends abutable to the terminal; as well as "each corridor unit being formed of at least two sections" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate

prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Although the diagrams clearly illustrate one and only one corridor unit "abutable to the terminal or the vehicle"; the claims permit an alternative embodiment wherein more than one of the "at least one corridor unit" is abutable to the terminal or the vehicle. The alternative embodiment is not shown in the diagrams.

Presently Figure 8 only shows a total of 3 corridor units, which does not illustrate "each corridor unit (of said plurality of corridor units) being formed of at least two sections".

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2, ln. 2, the phrase "wherein a plurality of corridor units" is indefinite because it is unclear as to whether "a plurality of corridor units" further limits the "at least one corridor unit", "a corridor unit joined to said forward end" or both.

Claim 2, ln. 2, the phrase "each corridor unit being formed of at least two sections".

It is indefinite as to whether the cited limitation is directed to "at least one corridor unit" or the "a corridor unit" or both. If each of said at least one corridor unit are formed of at least two sections, how many individual units are being claimed? How many are actually shown in the drawings?

Claim 6, ln. 3, recites the phrase "said corridor unit is of increasing height from said at least one corridor unit" is indefinite because it is unclear as to where the increase in height is to begin and end; since it is unclear as to whether the "a corridor unit" is one of the "at least one corridor unit" or is in addition to the at least one corridor unit; or if the "at least one corridor unit" does not include the "a corridor unit"; where among the "at least one corridor unit" the increase in height begins.

Does the increase in height begin in the 1st of many corridor units; begin in the 2nd, 3rd, 4th unit of the "at least one corridor unit".

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Harder # 4,553,720.

Harder discloses a boarding ramp for forming a protective passageway for permitting loading of passengers from an airport terminal (1) to an aircraft (2) having a door sill at a different height from the level of the terminal. The boarding ramp (3) comprising:

At least one corridor unit forming a gangway. (see Fig. 1, element arrow 3 points to 1 of 2 corridor units);

At least one of said at least one corridor unit (3) having a front end and a rear end, the rear end being abutable to the terminal (1).

Another corridor unit (4) having a front and rear end and being joined to a front end of at least one of said at least one corridor unit; via a pivot able linking unit(rotunda).

Wherein said another corridor unit (4) being provided with a gangway (8) that is pivotally attached at said rear end of said another corridor unit (4), and is raisable at said forward of said another corridor unit (4) such that the entire gangway is selectively inclinable from a ground level of an airport terminal (1) to the door sill of the aircraft (2). See col. 2, ln. 21-col. 3, ln. 50.

Art Unit: 3671

Although Harder does not disclose where the airport terminal is located adjacent or above ground, Harder clearly discloses the corridor unit (3) is capable of abutting the terminal, such that passengers can enter and exit the passenger boarding ramp.

Hence, it is inherent regardless of where the airport terminal is located, the corridor unit is "abutable to the terminal".

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 13 is rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Harder # 4,533,720.

Harder discloses the boarding ramp is selectively inclinable between said level of said terminal (1) and a door sill of said aircraft (2). What Harder does not disclose is all the possible heights at which an aircraft door sill could be disposed above the ground.

However, Harder explicitly recites in Col. 2, lns. 21-29 "the outer section of the two-part cabin bottom, which outer section faces the aircraft, can be positioned not only at the respective height of the threshold of the door of the aircraft, but also parallel thereto, so that it is possible to avoid a wide, for example wedge-shaped, gap and/or an insufficient sealing arrangement in the transition region between the cabin and the aircraft".

Hence, it would be obvious, if not inherent, the boarding ramp of Harder is capable of mating with, and sealing around an aircraft doorway, regardless of the type or height of the aircraft (2).

5. Claims 2-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harder # 4,553,720 in view of Hansen et al. # 5,704,086.

Harder discloses a boarding ramp (1) forming a gangway between a terminal and an aircraft, to include at least one transition plate (12, 13) extending from the end of a 1st corridor unit (8) and pivotally connectable to an adjacent corridor unit (9), to facilitate passengers moving between corridor units (8, 9). Harder further clearly illustrates the ramp (3) is capable of traversing an arc-shaped path, in order to approach an aircraft. Although Harder does not explicitly disclose nor illustrate roller means, to accomplish the intended function, it is obvious some sort of roller means, well known in the art, such as tires, are contemplated by Harder. Further, Harder clearly illustrates in Fig. 1 the boarding bridge includes a protective covering to shelter passengers transgressing the gangway. What Harder does not disclose is the details of the gangway forming structures. However, Hansen et al., teaches that it is known to provide passenger boarding ramps (10) with at least one telescopic corridor unit (A, B, C) connected in end to end, configuration, wherein: the corridor units comprise at least 2 sections (A, B, C), each having a U-shaped frame comprising at least a pair of transversely separated legs (150, 152, A, B, C in figs. 5, 6), a connecting roof support (138) and a flooring

Art Unit: 3671

brace (34, 36, 38, 42, 40,) at the lower end of the vertical legs (150, A, B, C) on which a deck (30, 32, 80) is located. The roof supports and flooring braces of one section being at different levels, to facilitate telescopic motion between corridor units. Further wherein the at least one corridor unit (A, B, C) comprise an elongated frame, open at each end; and are of increasing height from said at least one corridor unit (A) to encompass the height of the aircraft door, such that the gangway is pivotally attached at its rear end (adjacent rotunda 14), to the lower end of the open frame See col. 2, Ins. 36-39; and is pivoted with reversible means (28) intended to be used to elevate and lower the gangway at its forward end to the height of an aircraft door way. See Col. 2, Ins. 50-61; Col. 5, Ins. 12-25.

In regards to claims 7-9 both Harder and Hansen et al. disclose the corridor units are provided with an inclined floor that is covered with decking. See Hansen et al. figs, 5, 6. Further, Harder disclose the gangway is provided with a horizontal front plate (6) which is selectively extendible outward from a front end of the gangway (8) including guide means (11), cooperatively located on the frame of said corridor unit and said horizontal plate (6) and is capable of maintaining the horizontal plate in a desired orientation. See Figs. 2, 3; col. 2, Ins. 58-65.

6. Claims 11, 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harder # 4,553,720 in view of Hansen et al. # 5,704,086 as applied to claim 10 above, and further in view of Cherry # 4,488,326.

Hansen in view of Harder et al., disclose essentially all that is claimed, with respect to claim 10 above, to include the use of reversible electric motors to raise and lower the gangway, via transmission means (22), but do not disclose the specific use of "scissor jacks".

However, Cherry discloses it is known to provide boarding ramps, for use between a ground level and a vehicle having an elevated door, loading platform etc., with a powered transmission means, in the form of a pair of scissor levers (40, 42), which are connected to a boarding ramp and pivotable platform (90), and facilitate raising and lowering the same. Said transmission means being remotely controlled via an electric motor (60) and remote control switches (S). Therefore, it would have been obvious to one of ordinary skill in the art, at the time the invention was made to provide the boarding ramp of Hansen in view of Harder et al., with a transmission means, as taught by Cherry, in order to facilitate remote control of the boarding ramp assembly.

See Cherry, Col. 2, ln. 56-col. 3, ln. 68.

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Hone et al. # 6,330,726 B1 discloses a gangway system. Rohrs et al. # 4,084,713 discloses a vehicle wheelchair ramp. Saunders # 4,319,376 discloses a passenger loading bridge. Rolfe et al. # 6,481,039 B1 discloses a passenger loading bridge.

Art Unit: 3671

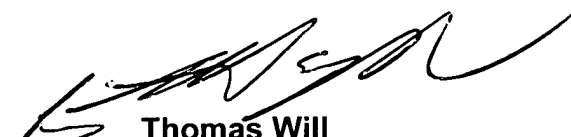
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond Addie whose telephone number is (703) 305-0135. The examiner can normally be reached on Monday-Friday from 7:00 am to 2:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas B. Will, can be reached on (703) 308-3870. The fax phone number for this Group is (703) 872-9326.

The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

On or about 3/30/05 Examiner Addie's telephone number will become (571) 272-6986.


Thomas Will
Supervisory Patent Examiner
Group 3600

RWA
3/31/2005